

REMARKS:

Claims 4-10 are currently pending in the application.

Claims 4-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,631,859 (*Schmidt*).

Rejections Under 35 U.S.C. § 103(a):

Claims 4-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Schmidt*.

With regard to independent Claims 5 and 6, the Examiner states that *Schmidt* discloses the claimed showerhead except for the central conduit having a funnel-shaped configuration. The Examiner states that it would have been obvious to one skilled in the art to provide a funnel-shaped entrance. Claims 5 and 6 are hereby amended to include a conical chamber disposed within the body member and in water communication with the spherical portion and the plurality of conduits passing through the body member. The Applicants respectfully disagree that *Schmidt* discloses or teaches Claims 5 and 6, as amended.

Schmidt discloses a conventional showerhead 10 having a spherical portion 16 rotatably coupled to a body member 26. Water received from an external source channels through a plurality of conduits 24 passing through spherical portion 16 and into body member 26 via a valve actuator 38. Figure 2 of *Schmidt* illustrates the water forming vortices in upper chamber 28, which causes turbulence and possibly cavitation.

Fluid turbulence and cavitation creates momentum loss, thereby requiring additional head pressure for providing adequate fluid pressure during bathing. As explained on page 1 of the subject application, fluid pressure provided to the showerhead is created by head pressure created from an elevated fluid container located on top of the home or building. Thus, showerheads forming turbulence or cavitation therein are undesired because more head pressure is required for adequate fluid pressure during bathing. The *Schmidt* showerhead clearly illustrates turbulent flow in at least Figures 2

and 7, as indicated by the vortices in inner chamber 28.

In contrast, the claimed showerhead is adapted for greatly reducing turbulent flow by providing a plurality of conduits and chambers that maintain a relatively laminate slipstream. Figure 4 of the subject application illustrates showerhead 1 having a chamber B for directing the water from superior chamber A to inferior chamber C. Chamber B has a conical chamber for receiving water from a plurality of channels disposed within superior chamber A. The chamber's conical configuration enables the showerhead to retain a relatively constant laminate slipstream between Chambers A and B as the showerhead tilts in various positions.

In comparison, the *Schmidt* showerhead creates turbulent flow, which requires additional head pressure to maintain adequate water pressure; whereas, the claimed showerhead includes a conical shaped section for reducing the turbulent flow as the fluid channels from chamber A to B. The conical section greatly reduces the turbulent flow, thereby allowing the showerhead to provide adequate fluid pressure in places where head pressure is limited.

In further contrast, the *Schmidt* showerhead requires a valve actuator 38 for directing water from spherical portion 16 to chamber 28; whereas, the claimed showerhead does not require the extra component. Page 1 of the subject application states that the water passing through the showerhead commonly contains minerals that create buildup, which can clog small orifices. Figure 3 of *Schmidt* illustrates a top view of the valve actuator including a plurality of conduits receptive to mineral buildup, resulting in restriction of the conduit, thereby requiring additional head pressure. For at least the foregoing reasons, the Applicants submit that the claimed showerhead is not disclosed or taught by *Schmidt*.

Claims 5 and 6 are hereby amended to include a conical chamber in fluid communication with the spherical portion and the plurality of conduits passing through the body member. The conical chamber is not disclosed, taught, mentioned, or suggested by *Schmidt*. The Applicants submit that foregoing amendments and remarks with regard to Claims 5 and 6 overcome the Examiner's rejections under 35 U.S.C. § 103(a) and that

Claims 5 and 6, as amended, are in condition for allowance. Therefore, the Applicants respectfully request that Claims 5 and 6, as amended, be allowed.

With regard to Claims 4 and 10, the Examiner states that *Schmidt* discloses the claimed ring member and the impulse member being coupled to the body via an axel portion. Claims 4 and 10 are dependent claims dependent upon Claim 5. Claim 5 is hereby amended to include a conical chamber configured for receiving water from a spherical portion of superior chamber A. The Applicants reiterate here that these features are not disclosed, taught, mentioned, or suggested by *Schmidt*. The Applicants submit that the foregoing amendments and remarks traverse the Examiner's rejections under 35 U.S.C. § 103(a) and that Claims 4 and 10 are in condition for allowance. Because Claims 4 and 10 are dependent upon and further limit Claim 5, the Applicants submit that Claims 4 and 10 are also in condition for allowance. Therefore, the Applicants respectfully request that Claims 4 and 10 be allowed.

With regard to Claims 7-9, the Examiner states that it would have been obvious to a person skilled in the art to provide four longitudinal conduits equal distantly spaced and to have different outlet configurations to include either a rectangular cross-sectional area or to concentric circles. Claims 7-9 are dependent claims dependent upon Claim 5. Claim 5 is hereby amended to include a conical chamber configured for receiving water from a spherical portion of superior chamber A. The Applicants reiterate here that these features are not disclosed, taught, mentioned, or suggested by *Schmidt*. The Applicants submit that the foregoing amendments and remarks traverse the Examiner's rejections under 35 U.S.C. § 103(a) and that Claims 7-9 are in condition for allowance. Because Claims 7-9 are dependent upon and further limit Claim 5, the Applicants submit that Claims 7-9 are also in condition for allowance. Therefore, the Applicants respectfully request that Claims 7-9 be allowed.

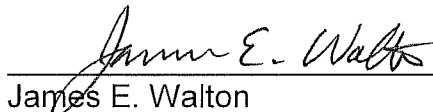
CONCLUSION:

The Applicants submit that the foregoing amendments and remarks made with respect to Claims 4-10 traverse the Examiner's rejections under 35 U.S.C. § 103(a). Therefore, the Applicants respectfully request that Claims 4-10 be allowed.

This Amendment is being filed via the U.S. Patent and Trademark Office's EFS-Web electronic filing system. No fees are deemed to be necessary; however, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Respectfully submitted,

11/17/09
Date



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